

1 LYSSA S. ANDERSON
Nevada Bar No. 5781
2 KRISTOPHER J. KALKOWSKI
Nevada Bar No. 14892
3 KAEMPFER CROWELL
1980 Festival Plaza Drive, Suite 650
4 Las Vegas, Nevada 89135
Telephone: (702) 792-7000
5 Fax: (702) 796-7181
landerson@kcnvlaw.com
6 kkalkowski@kcnvlaw.com
Attorneys for Defendants
7 *Las Vegas Metropolitan Police Department,*
Vanessa Mitchell, and Don'te Mitchell

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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 MARY SMITH, individually, and as Special
Administrator of the Estate of JAMES PEREA,

12 Plaintiffs,

13 vs.

14 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; WELLPATH, LLC; RN
15 RACHEL CLARK; RN TANJA
WASIELEWSKI; RN GENEVA BESSIE;
16 LCSW SANDRA CELIS; MA/LNA MELEKA
ST. JOHN. RN STEPHANIE ESTALA; NP
17 HUGH ANDREW ROSSET; NP SHELLEY
AMEDURI; PA ANDREA BALOGH; RN
18 AYNUR KABOTA; CORRECTIONS
OFFICER VENESSA MITCHELL:
19 CORRECTIONS OFFICER DON'TE
MITCHELL; CORRECTIONS OFFICER
20 JOSHUA WALDMAN; DOES 1-30,

21 Defendants.

Case No.: 2:23-cv-00092-JAD-NJK

**STIPULATION TO EXTEND BRIEFING
DEADLINE REGARDING PLAINTIFFS'
MOTION FOR PARTIAL
RECONSIDERATION
[ECF No. 65]**

ECF No. 69

22 IT IS HEREBY STIPULATED AND AGREED between the parties that the briefing
23 deadlines for Plaintiffs' Motion for Partial Reconsideration, (ECF No. 65), be extended by two
24 days. The current deadline for Defendants to file a Response to Plaintiffs' Motion is March 13,

2024; and Plaintiffs' Reply is due March 20, 2024. The parties stipulate and agree to extend these deadlines so that **Defendants' Response is due March 15, 2024**, and **Plaintiffs' Reply is due March 26, 2024**.

1. On February 28, 2024, Plaintiffs filed three Motions: a Motion to Modify the Scheduling Order Deadline to Amend Pleadings, (ECF No. 62); a Motion for Leave to File a Second Amended Complaint, (ECF No. 63); and a Motion for Partial Reconsideration, (ECF No. 65).

2. The Response deadlines for these Motions is March 13, 2024.

3. Plaintiffs' deadline to file Replies is March 20, 2024.

4. Local Rule IA 6-1 governs the parties' Stipulation requesting an extension of these briefing deadlines.

5. The applicable deadlines have not yet expired. Accordingly, a good cause standard governs the requested extension of time.

6. The parties stipulate and agree that good cause exists to extend the deadlines for Plaintiffs' Motion for Partial Reconsideration, (ECF No. 65), by two days because Lyssa S. Anderson, who is counsel for Defendants Las Vegas Metropolitan Police Department, Don'te Mitchell, and Vanessa Mitchell, is out of the office due to a long-planned vacation between March 11 through 14, 2024. Additionally, the multiple requests for relief in the Motions require relatively extensive briefing that cannot be completed within the general 14-day response deadline in light of other active cases and matters handled by LVMPD Defendants' counsel.

7. For these reasons, the parties respectfully request that the Court extend the briefing deadlines as follows: Defendants' Response will become due **March 15, 2024**, and Plaintiffs' Reply will become due **March 26, 2024**.

8. The parties stipulate and agree that this extension will not create an unnecessary

1 delay to resolution of this case. The extension will ensure that the parties can prepare adequate
2 briefs for the Court to make a ruling on the merits.

3 DATED this 12th day of March, 2024.

DATED this 12th day of March, 2024.

4 By: /s/ Lyssa S. Anderson
Lyssa S. Anderson (SBN 5781)
5 Kristopher J. Kalkowski (SBN14892)
1980 Festival Plaza Drive, Suite 650
6 Las Vegas, Nevada 89135
Attorneys for Defendants,
7 ***Las Vegas Metropolitan***
Department, Vanessa Mitchell, and
8 ***Don'te Mitchell***

By: /s/ Peter Goldstein
Peter Goldstein (SBN 6992)
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
Attorney for Plaintiffs
Mary Smith, individually, and as
Special Administrator of the Estate of
James Perea

9 DATED this 13th day of March, 2024.

10 /s/ Robert D. Rourke
S. Brent Vogel (SBN 6858)
11 Robert D. Rourke (SBN 5757)
6385 S. Rainbow Blvd, Suite 600
12 Las Vegas, NV 89118
Attorneys for Defendants
13 ***Wellpath, LLC; Rachel Clark, RN;***
Geneva Bessie, RN; Stephanie
14 ***Estala, RN; Andrea Balogh, NP;***
15 ***Hugh Andrew Rosset, NP; Tanja***
Wasielewski, RN; Shelley Ameduri,
16 ***PA; Meleka St. John, RN; and***
Sandra Celis, LCSW.

17 **IT IS SO ORDERED.**

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19 DATED this 15th day of March, 2024,
nunc pro tunc to March 13, 2024

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21 UNITED STATES DISTRICT JUDGE
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